

**MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS**

at 9:00 A.M. and 2:00 P.M.

held in Room 569 County Building, on Friday, September 17, 1999.

The following members were present for all or part of the meeting and constituted a quorum:

Joseph J. Spingola
Chairman
Demetri Konstantelos
LeRoy K. Martin
Gigi McCabe-Miele

MINUTES OF MEETING
September 17, 1999

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on August 20, 1999 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, Martin, McCabe-Miele. Nays- None. .

* * * * *

The Board thereupon held its regular meeting, taking action designated on the face of the resolutions.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ogden Partners Buena, LLC **CAL. NO.** 95-99-S
APPEARANCES FOR: Mark Ordower **MAP NO.** 11-G
APPEARANCES AGAINST: John J. Pikarski, Jr. **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 1003, 05, 15, 21 W. Buena Avenue / 4150 N. Sheridan Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 40 dwelling unit building with a detached 2-story garage for 60 automobiles, in a B4-4 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Ogden Partners Buena LLC **CAL. NO.** 96-99-Z
APPEARANCES FOR: Mark Ordower **MAP NO.** 11-G
APPEARANCES AGAINST: John J. Pikarski, Jr. **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 1003, 05,15, 21 W. Buena Avenue / 4150 N. Sheridan Road

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a 4-story 40 dwelling unit building and 2-story detached parking garage for 60 private passenger automobiles, whose front yard will be 6' instead of 15', with a west side yard of 3.5' instead of 20', and whose rear yard will be 4' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 17, 1999, the Board approved, in Cal. No. 95-99-S, the establishment of dwelling units below the 2nd floor in a proposed 4-story 40 dwelling unit building with a detached 2-story garage for 60 automobiles, at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Washington Federal Bank

CAL. NO. 112-99-S

APPEARANCES FOR:

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 2869 S. Archer Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility, in conjunction with an existing bank in a 2-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
DECEMBER 17, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Midwest Wrecking Co.

CAL. NO. 197-99-A

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

September 17, 1999

PREMISES AFFECTED- 2129-49 W. Hubbard Street

SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 19, 1999.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT:	The Power of Prayer Incorporated	CAL. NO. 190-99-S
APPEARANCES FOR:	John J. Pikarski, Jr., Walter Henderson	MAP NO. 20-B
APPEARANCES AGAINST:	Shirley Felton, Carrie James	MINUTES OF MEETING September 17, 1999
PREMISES AFFECTED--	8038 S. Escanaba Avenue	

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence for not more than 8* persons who are recuperating from the effects of drug or alcohol abuse, in an existing 1-story brick residential building, in an R3 General Residence District.

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 1-story brick single-family residential building; that the applicant seeks to establish a transitional residence at the site for not more than 8 persons who are recuperating from the effects of drug or alcohol abuse; that residents will be referred to the proposed transitional residence facility by other treatment centers; that clients will be supervised 24 hours daily by one supervisor and one senior resident; that the testimony presented indicates that funding for the proposed use will derive from rent received from the residents after they have obtained employment; that no funding will be obtained from the State of Illinois or other governmental sources for the proposed use; that no evidence was presented to indicate that the proposed use is necessary for the public convenience at the subject site; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that no testimony was presented to indicate that the proposed use will not cause substantial injury to the value of other residential property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the application for a special use be and it hereby is denied.

*Amended at the public hearing.
 BAZ 16

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Samir Ali and Mustafa Hussein **CAL. NO.** 199-99-A
APPEARANCES FOR: Robert P. Aulston, Mustafa Hussein **MAP NO.** 14-C
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 1619 E. 55th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Samir Ali and Mustafa Hussein, for AMJ Management, owner, on May 5, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 3-story multi-store and apartment building, in a B2-4 Restricted Retail District, on premises at 1619 E. 55th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 5, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a B2-4 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-4 Restricted Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building that the appellants seek to establish a beauty parlor in a store premises at the subject site; that the subject store premises has been previously occupied by business uses, the last use having been a currency exchange which ceased operation in November, 1998; that licensing requirements have caused the case to be filed; that the change of use from a currency exchange to a beauty parlor is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 3-story brick multi-store and apartment building, on premises at 1619 E. 55th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Debra Lazar **CAL. NO.** 205-99-Z
APPEARANCES FOR: Patrick Brankin, Debra Lazar **MAP NO.** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2938 N. Lakewood Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story single family dwelling with basement and attic whose front yard will be 4' instead of 20', with a south side yard of 3' and a north side yard of 1.33' instead of 6.91' each.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jeff Victor **CAL. NO.** 220-99-S
APPEARANCES FOR: James J. Banks, Jeff Victor **MAP NO.** 7-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2418 N. Ashland Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an auto laundry for the washing of cars by hand, in an existing 1-story brick garage building, in a C1-2 General Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH I. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That all queuing of cars shall occur completely within the building;

That all cars shall enter the building through the alley entrance provided a waiver of the alley barrier requirement is obtained from the City Council;

That egress from the facility shall be right turn only southbound onto S. Ashland Avenue.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Cash America, Inc. of Illinois

CAL. NO. 233-99-S

APPEARANCES FOR: None

MAP NO. 14-I

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 5823 S. Kedzie Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick shopping mall, in a C1-1 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR WANT
OF PROSECUTION.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Cladies Thomas

CAL. NO. 232-99-S

APPEARANCES FOR: Howard Ward, Cladies Thomas

MAP NO. 26-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 1348-50 W. 111th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a residence below the 2nd floor, in the erection of a 1-story brick single family dwelling, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 278-98-Z

Janice Smith, applicant, presented a written request for an extension of time in which to comply with provisions of the resolution issued by the Board for the establishment of off-street parking spaces for a proposed conversion of a 3-story building to 7 dwelling units on a through lot, with no south front yard instead of 15', on premises at 2329-31 W. Monroe Street, approved by the Board on August 21, 1998, in Cal. No. 278-98-Z.

Ms. Smith stated that she has encountered difficulties in meeting the landscape requirements and other zoning issues for the aforesaid off-street parking spaces.

Chairman Spingola moved that the request be granted and the time for complying with landscape requirements and resolving the other zoning issues be extended to August 28, 2000. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Nays- None. Absent- Martin.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Kevin and Susan Flynn

CAL. NO. 289-99-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 1939-43 N. Howe Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District (S.D.# 19 Sub B), the erection of a 3-story with roof garden addition to an existing 3-story single family dwelling with a north side yard of 3.33' instead of 6.5' and no rear yard instead of 30'.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 15, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Charles Kraft III **CAL. NO.** 290-99-Z
APPEARANCES FOR: Richard Wolfe, Mrs. Charles Kraft, III **MAP NO.** 5-F
APPEARANCES AGAINST: Rafael M. Paloma **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 1951 N. Halsted Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District (SD #19 Sub 'B'), the erection of a 3 & 4-story 3 dwelling unit building whose front yard will be 9.5' instead of 15' and whose 47.3' height will be a 10% increase from the 43' permitted.

ACTION OF BOARD--

THE VOTE

VARIATION PARTIALLY GRANTED AND PARTIALLY DENIED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X	X	
X	X	
X	X	
X	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted with the height limitation noted below, will not alter the essential character of the locality; it is therefore

RESOLVED, that the application for a variation be and it is hereby granted for the erection of a 3 & 4-story 3 dwelling unit building whose front yard will be 9.5 feet instead of 15', on premises at 1951 N. Halsted Street; upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the portion of the said application for a variation requesting a 10% (47.3') increase from the permitted height of 43' be and it hereby is denied and that the height of the proposed 4-story 3-dwelling unit building at the subject site shall be limited to 43' at its peak which is the permitted height imposed by the Special District #19 Sub B requirements.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Clausen Drake-Thompson

CAL. NO. 291-99-Z

APPEARANCES FOR: Clausen Drake-Thompson

MAP NO. 5-G

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 938 W. Concord Place

September 17, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd floor addition to an existing 1-story frame single family dwelling whose front yard will be 5.75' instead of 15', with an east side yard of 2' and a west side yard of 2.1' instead of 2.4' each and to erect a 21' x 24.31' detached garage with a partial 2nd floor, 21' high, whose rear yard will be 2' instead of 30 and no east and west side yards instead of 2.4' each.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Israel and Ana Reyes

CAL. NO. 292-99-Z

APPEARANCES FOR: Stephen L. Reed, Israel & Anna Reyes

MAP NO. 5-M

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 2102 N. Moody Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-1 Local Retail District, the erection of a 2nd floor addition to an existing 1 1/2 -story frame single family dwelling whose north side yard will be 3' instead of 5.7' and whose west rear yard will be 7' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Marquette National Bank and Trust, Tr. #14648 **CAL. NO.** 293-99-Z
APPEARANCES FOR: Mark J. Kupiec, Jerry Flannery **MAP NO.** 12-M
APPEARANCES AGAINST: Helen Dziedzic et al **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 6047 S. Archer Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 18 dwelling unit 32' x 209.83' masonry condominium building on a through lot with no south front yard instead of 15', no midway rear yard instead of 60' and no east and west side yards instead of 4'.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 40.65' x 460' through lot with frontages located on S. Archer Avenue and W. 54th Place; that the applicant seeks to erect a 3-story 18 dwelling unit building with on site parking spaces located in a portion of the property fronting on S. Archer Street and also on the portion of the property fronting on W. 54th Place; that no evidence was presented to indicate that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in the district; that the 18 dwelling unit as proposed is an overbuilding of the very long and narrow subject site lot and that the plight of the owner is self-created; that 18 dwelling unit building, as designed is not compatible with existing improvements and will alter the essential character of the locality; it is therefore

RESOLVED, that the application for a variation be and it hereby is denied.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: George J. Bahramis **CAL. NO.** 294-99-S
APPEARANCES FOR: James J. Banks, George J. Bahramis **MAP NO.** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2234 N. Leavitt Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a dwelling below the 2nd floor in the erection of a 3-story with basement single family dwelling, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: George J. Bahramis **CAL. NO.** 295-99-Z
APPEARANCES FOR: James J. Banks, George J. Bahramis **MAP NO.** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2234 N. Leavitt Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story with basement single family dwelling with attached garage, whose front yard will be 7' instead of 12', with a north side yard of .5' instead of 2.41' and whose rear yard will be 21' instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 17, 1999, the Board approved, in Cal. No. 294-99-S, the establishment of residential use below the 2nd floor in the erection of a 3-story with basement single-family dwelling, at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Marty Grossman **CAL. NO.** 296-99-S
APPEARANCES FOR: James J. Banks, Marty Grossman **MAP NO.** 5-1
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2720-22 W. Armitage Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 18 private passenger automobiles, in a B4-1 Restricted Service District, to fulfill the parking requirement for a 39 unit apartment building at 2735 W. Armitage Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B4-1 Restricted Service District; that the applicant proposes to erect a 39-unit apartment building at 2745 W. Armitage Avenue; that 28 required parking spaces will be located in a basement garage in the apartment building; that the applicant seeks to provide the balance of the required parking spaces at the subject site; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 10a.)

MINUTES OF MEETING

September 17, 1999

Cal. No. 296-99-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot;

That a 6 feet high decorative solid wood fence shall be provided on the east lot line to screen the facility from abutting residential property to the east; that additional fencing shall be provided as illustrated on the plan prepared by the Swiss Design Group, Ltd., dated September 17, 1999; and

That striping shall be provided; that lighting shall be provided that is directed away from abutting residential properties;

That ingress shall be from W. Armitage Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that egress shall be via the alley abutting the site to the north, provided a waiver of the alley barrier requirement is obtained from the City Council;

That landscaping shall be provided as illustrated on the plan prepared by the Swiss Design Group, Ltd., dated September 17, 1999;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Irmco Properties & Management Corporation CAL. NO. 297-99-S

APPEARANCES FOR: MAP NO. 15-G

APPEARANCES AGAINST: MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 1021 W. Granville Avenue / 6175 N. Kenmore Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for up to 57 private passenger automobiles, in an R5 General Residence District, to serve the apartment building at 1040 W. Granville Avenue.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 19, 1999.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Irmco Properties & Management Corporation CAL. NO. 298-99-Z

APPEARANCES FOR: MAP NO. 15-G

APPEARANCES AGAINST: MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 1021 W. Granville Avenue / 6175 N. Kenmore Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of an off-site parking lot for up to 57 private passenger automobiles, with no front yard instead of 15'.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 19, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jae Chul Chang & Soon Jin Chang **CAL. NO.** 299-99-S
APPEARANCES FOR: Dennis Aukstik, Jae Chul Chang & Soon Jin Chang **MAP NO.** 2-K
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 4119-35 W. Fillmore Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 164* private passenger automobiles, in an M1-2 Restricted Manufacturing District, to satisfy the parking requirement for a proposed addition to an existing factory and warehouse facility at 4100 W. Fillmore Street.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

*Amended at the public hearing.
 (Additional conditions follow on page 13a.)

MINUTES OF MEETING

September 17, 1999

Cal. No. 299-99-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That the lot shall be enclosed, excepting the driveway, with 6 feet high decorative wrought-iron type metal fencing;

That striping shall be provided; that lighting shall be provided;

That ingress and egress shall be from W. Fillmore Street; that the driveway shall be constructed in accordance with applicable ordinances;

That all applicable provisions of the City of Chicago Landscape Ordinance shall be complied with;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Allright Parking Chicago, Inc. **CAL. NO.** 300-99-S
APPEARANCES FOR: Steve Friedland, Arthur I. Dordek **MAP NO.** 2-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 653-711 S. Wells Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a non-accessory surface parking lot for 50 vehicles 1 1/2 tons and under, in a C3-6 Commercial Manufacturing District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

- That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
- That the lot shall be used solely for the parking of vehicles 1 1/2 tons and under;

(Additional conditions follow on page 14a.)

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 300-99-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That decorative wrought iron type metal fencing shall be provided on the east and west lot lines, excepting the driveway;

That striping and lighting shall be provided;

That ingress and egress shall be from S. Wells Street; that the driveway on S. Wells Street shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the alley abutting the site to the east;

That the applicant shall install a minimum of four street trees and a minimum of two landscaped islands with trees as illustrated on the plan prepared by Appold Design Inc., dated September 15, 1999; and

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: United In Faith Lutheran Church **CAL. NO.** 301-99-S
APPEARANCES FOR: Richard F. Klawiter, Dorothy Goos **MAP NO.** 9-N
APPEARANCES AGAINST: John J. Pikarski, Jr. **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 6525-35 W. Irving Park Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 300 seat church with 29 proposed off-street parking spaces on site in the alteration of 3 existing 1-3 story brick buildings to a church and related uses, in a C2-1 General Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a C2-1 General Commercial District; that on August 3, 1999, the applicant filed a special use application for the approval of the establishment of a 300-seat church with related uses in the alteration of 3 existing brick buildings, at the subject site; that testimony presented indicates that a current holder of a City of Chicago retail liquor license, The Jolly Inn, located at 6501 W. Irving Park Road, is located within 100 feet of the subject site; that Section 6-11 of the Illinois Liquor Control Act prohibits the issuance of a liquor license within 100 feet of a church, or church affiliated school but that this section does not prohibit churches from locating within 100 feet of existing licensed liquor vendors; that at times this section has had the effect of prohibiting a liquor licensee from selling its business because of the subsequent opening of a church within 100 feet of the licensed premises; that in recognition of this fact, Section 6-11 also allows the corporate authorities of a municipality to allow future issuance of liquor licenses at currently licensed premises where a church receives a special use permit to operate within 100 feet of such premises; and

WHEREAS, an ordinance will be introduced by the alderman of the 38th ward providing that pursuant to Section 6-11 of the Illinois Liquor Control Act, the presence of a church at the subject site shall not prevent the future issuance of license for the retail sale of alcoholic liquor within 100 feet of the subject site, provided, however, that this exception applies only to issuance of such license at premises where such a license exists on the effective date of said ordinance; and

MINUTES OF MEETING

September 17, 1999

Cal. No. 301-99-S

WHEREAS, that evidence presented indicates that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the parking area at the rear of the proposed church shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That appropriate fencing shall be provided; that lighting and striping shall be provided;

That ingress and egress shall be determined by the Bureau of Inspection of the City of Chicago's Department of Transportation;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That it shall be the responsibility of the applicant to improve and maintain the parking area continuously in conformance with the provisions and standards hereby established under this ordinance; and be it further

RESOLVED, that a copy of the pending ordinance before the City Council pursuant to Section 6-11 of the Illinois Liquor Control Act pertaining to the subject site is hereby attached and made part of this resolution.



**CITY COUNCIL
CITY OF CHICAGO
COUNCIL CHAMBER**

SECOND FLOOR - CITY HALL
121 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60602
TELEPHONE 312-744-4000

COMMITTEE MEMBERSHIPS

- TRANSPORTATION AND PUBLIC WAY (CHAIRMAN)
- AVIATION
- BUDGET AND GOVERNMENT OPERATIONS
- BUILDINGS
- COMMITTEES RULES AND ETHICS
- ECONOMIC AND CAPITAL DEVELOPMENT
- FINANCE
- ZONING

THOMAS R. ALLEN
ALDERMAN, 38TH WARD
5817 WEST IRVING PARK ROAD
CHICAGO, ILLINOIS 60634
TELEPHONE 773-297-0900
FAX 773-283-3343

September 14, 1999

Kareem A. Musawwir, Chief Zoning Examiner
Zoning Board of Appeals
121 N. LaSalle, Room 806
Chicago, IL 60602

RE: Application 301-99-S
6525-35 W. Irving Park
United IN Faith Lutheran Church

Dear Mr. Musawwir:

As you know, United In Faith Lutheran Church has filed an application for a special use for the property located at 6525-35 West Irving Park Road. Because they will be locating within 100 feet of an existing licensed liquor vender, the Jolly Inn (located at 6501 W. Irving Park), I intend to introduce the attached Ordinance at the next City Council meeting on September 29, 1999.

Please feel free to contact me with any questions.

Very truly yours,

Thomas R. Allen
Alderman, 38th Ward

TRATS
ENC

ORDINANCE

WHEREAS, the United in Faith Lutheran Church has applied to the Zoning Board of Appeals for a special use to allow the applicant to operate a church at 6525-35 West Irving Park Road; and

WHEREAS, at least one current holder of a City of Chicago retail liquor license is located within 100 feet of 6525-35 West Irving Park Road;

WHEREAS, Section 6-11 of the Illinois Liquor Control Act prohibits the issuance of a liquor license within 100 feet of a church or church-affiliated school. This section does not prohibit churches from locating within 100 feet of existing licensed liquor vendors, and at times has had the effect of prohibiting a liquor licensee from selling its business because of the subsequent opening of a church within 100 feet of the licensed premises. In recognition of this fact, Section 6-11 also allows the corporate authorities of a municipality to allow future issuance of liquor licenses at currently licensed premises, where a church receives a special use permit to operate within 100 feet of such premises, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO

SECTION 1. Pursuant to Section 6-11 of the Illinois Liquor Control Act, the presence of a church at 6525-35 West Irving Park Road shall not prevent the future issuance of licenses for the retail sale of alcoholic liquor within 100 feet of 6525-35 West Irving Park Road; provided, however, that this exception applies only to issuance of such license at premises where such a license exists on the effective date of this ordinance.

SECTION 2. This ordinance shall take effect on its passage and approval, and the approval by the Zoning Board of Appeals of the application for a special use to allow United in Faith Lutheran Church to operate on the premises located at 6525-35 West Irving Park Road.

Alderman, 38th Ward

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Midwest District of The Christian & Missionary Alliance **CAL. NO.** 302-99-S

APPEARANCES FOR: **MAP NO.** 20-B

APPEARANCES AGAINST: **MINUTES OF MEETING**
September 17, 1999

PREMISES AFFECTED-- 8200 S. South Shore Drive

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 60 seat church in an existing 2-story building with 5 on-site parking spaces, in a B1-1 Local Retail District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 19, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Victor Estrada

CAL. NO. 303-99-S

APPEARANCES FOR:

MAP NO. 17-H

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 6652 N. Clark Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day-laborer employment agency in conjunction with an employment office in a 3-story brick store and apartment building, in a C2-2 General Commercial District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 19, 1999.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Walgreens Corporation

CAL. NO. 304-99-S

APPEARANCES FOR: Mary B. Koberstein, John McLinden

MAP NO. 12-I

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 4710 S. Western Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed 13,905 sq. ft. Walgreens retail store building with 50 on-site parking spaces, in a B4-1 Restricted Service District & a C1-2 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Hirsch Associates LLC, dated September 9, 1999;

(Additional conditions follow on page 18a.)

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 304-99-S

That fencing and landscaping shall be provided as illustrated on the landscape plan prepared by Hirsch Associates LLC, dated September 8, 1999;

That egress from the drive-through portion of the facility shall be onto W. 47th Street via an existing 16' public alley but only on condition that an alley vacation is obtained by the applicant from the City Council;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with all applicable City of Chicago ordinances.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Walgreens Corporation **CAL. NO.** 305-99-S
APPEARANCES FOR: Bernard I. Citron, Tom Morabito **MAP NO.** 22-B
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 9152-54 S. Commercial Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed 15,120 sq. ft. Walgreens retail store building with 51 on site parking spaces, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed drive-through facility shall be constructed consistent with the layout, fencing and landscaping represented on the site plan and landscape plan prepared by Appold Design Inc., dated September 7, 1999 and that the design is consistent with the elevation drawings prepared by William Pavlecic & Associates, dated July 20, 1999.

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with all applicable ordinances of the City of Chicago.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Walgreens Corporation **CAL. NO.** 306-99-S
APPEARANCES FOR: Mary Koberstein, John McLinden **MAP NO.** 7-K
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 3151-59 N. Cicero Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 38 private passenger automobiles, in a B3-1 General Retail District, to satisfy the parking requirement for a proposed 15,111 sq. ft. retail store building at 4731 W. Belmont Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B3-1 General Retail District; that the subject site is a 124' x 125.17' lot separated by a public alley from the proposed Walgreens store to be located at 4731 W. Belmont Avenue; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 20a.)

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 306-99-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That fencing and landscaping shall be installed as illustrated on the landscape plan prepared by Hirsch Associates LLC, dated September 8, 1999;

That striping and lighting shall be provided;

That ingress and egress shall be from a driveway located on S. Cicero Avenue and from the public alley abutting the site to the east provided a waiver of the alley barrier requirement is obtained from the City Council; that the driveway located on S. Cicero Avenue shall be constructed in accordance with applicable ordinances;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance; and be it further

RESOLVED, that the applicant shall maintain liability insurance expressly protecting the City of Chicago against claims from injuries or damages occurring to store patrons or their property on the 16' public alley immediately adjacent to the proposed parking lot.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Walgreens Corporation

CAL. NO. 307-99-S

APPEARANCES FOR: Willam Dallas

MAP NO. 2-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 111 S. Halsted Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed 15,120 sq. ft. Walgreens retail store building with 111 on site parking spaces, in a C1-4 Restricted Commercial & a C3-5 Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

That the proposed drive-through facility and parking area shall be constructed and improved consistent with the layout, design, fencing and landscaping represented on the site and landscape plans and elevation drawings prepared by A.C. Alexander Ltd., dated September 15, 1999;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with all applicable ordinances of the City of Chicago.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Walgreens Corporation

CAL. NO. 308-99-S

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 7410 N. Clark Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing 14,300 sq. ft. Walgreens retail store with 76 off-street parking spaces, in a C2-2 General Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 19, 1999.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Gaboan Baptist Church **CAL. NO.** 309-99-S
APPEARANCES FOR: F. Ronald Buoscio, Dr. Carl Vancol **MAP NO.** 22-B
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2805 E. 87th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of a church by the erection of an 1-story 334 sq. ft. addition to the existing 1 & 2-story brick building and increasing the seating capacity to 192 seats, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That off-site parking for 23 private passenger vehicles shall be established at 2833 E. 87th Street as provided for in Cal. No. 311-99-S.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Gaboan Baptist Church

CAL. NO. 310-99-Z

APPEARANCES FOR: F. Ronald Buoscio, Dr. Carl Vancol

MAP NO. 22-B

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 2805 E. 87th Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to erect a 1-story (334 sq. ft.) addition to an existing 1 & 2-story church building whose south transitional yard will be 9.5" instead of 12', in a B4-2 Restricted Service District.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 17, 1999, the Board approved, in Cal. No. 309-99-S, the erection of a 1-story 334 sq.ft. addition to the existing 1 and 2-story brick building thereby increasing the seating capacity of the existing church to 192 seats, at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Gaboan Baptist Church **CAL. NO.** 311-99-S

APPEARANCES FOR: F. Ronald Buoscio, Dr. Carl Vancol **MAP NO.** 22-B

APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999

PREMISES AFFECTED-- 2833 E. 87th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 23 private passenger automobiles, in a B4-2 Restricted Service District, to satisfy the parking requirement for an existing church with a proposed addition at 2805 E. 87th Street.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 17, 1999, the Board approved, in Cal. No. 309-99-S, the erection of a 1-story 334 sq.ft. addition to the existing 1 and 2-story brick building, on premises at 2805 E. 87th Street; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 25a.)

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 311-99-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

The lot shall be enclosed, excepting the driveway, with decorative wrought-iron type metal fencing;

That striping and lighting shall be provided;

That ingress and egress shall be from E. 87th Street; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the driveway on E. 87th Street shall be constructed in accordance with applicable ordinances;

That landscaping shall be provided as illustrated on the plan prepared by Andrews Architecture, Ltd., dated September 16, 1999; and

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Progressive Missionary Baptist Church of Altgeld Gardens **CAL. NO.** 312-99-S

APPEARANCES FOR: Benjamin C. Duster, Rev. John Digby, Jr. **MAP NO.** 30-E

APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999

PREMISES AFFECTED-- 26 E. 127th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 700 seat church in a proposed 2-story building with 90 off-street parking spaces, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the on-site parking areas shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking areas at any time;

(Additional conditions follow on page 26a.)

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

September 17, 1999

Cal. No. 312-99-S

That the parking areas shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That decorative wrought-iron type metal fencing shall be provided on the east, west and south lot lines, excepting the driveways; that a decorative solid wood fence shall be provided on the north lot line to screen the parking areas from abutting residential properties;

That striping shall be provided; that lighting shall be provided which is directed away from abutting residential properties;

That ingress and egress from the parking areas shall be from driveways located on E. 127th Street and on S. State Street; that there shall be no ingress nor egress via public alleys abutting the site to the east and to the north; that the E. 127th Street and S. State Street driveways shall be constructed in accordance with applicable ordinances;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That it shall be the responsibility of the applicant to improve and maintain the parking areas continuously in conformance with the provisions and standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: James Regalado*

CAL. NO. 313-99-S

APPEARANCES FOR:

MAP NO. 6-H

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 2003 W. Cermak Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a tattoo* facility, in a 4-story brick store and apartment building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 15, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

*Amended.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Aadvantage Pawners & Jewelers LTD

CAL. NO. 314-99-S

APPEARANCES FOR:

MAP NO. 6-H

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 11233-37 S. Michigan Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in an existing 1-story brick building, in a B4-3 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 19, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Joseph Halzel

CAL. NO. 315-99-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 17, 1999

PREMISES AFFECTED-- 159-63 N. Halsted Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion (1,556 sq. ft. 2-story addition) of an adult book store to an 1-story existing adult-use facility, in a C2-4 General Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 19, 1999.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Allied Waste Transportation, Inc. **CAL. NO.** 316-99-S
APPEARANCES FOR: Patrick T. Brankin, Glenn C. Sechen **MAP NO.** 6-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 17, 1999
PREMISES AFFECTED-- 2203-2427 S. Laflin Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of a waste transfer station in a 1-story brick building on the southern portion of the lot by a proposed 6,300 sq. ft. addition to the floor space of the building and to increase the hours of operation to 24 hours a day, 7 days a week, in an M3-4 Heavy Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on September 1, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the applicant shall maintain an eight foot tall solid metal fencing of a uniform color along the S. Laflin Street frontage;

*Amended at the public hearing.
 (Additional conditions follow on page 30a.)

MINUTES OF MEETING

September 17, 1999

Cal. No. 316-99-S

That the facility shall accept no more than 1,500 tons per day of non-hazardous municipal solid waste and construction / demotion debris during the construction phase of the proposed facility expansion and no more than 2,300 tons upon completion of the new construction;

That all waste materials and debris shall be handled or processed within an enclosed structure on a paved surface;

That the applicant shall maintain the existing concrete block wall along the riverfront and shall implement the River's Edge Improvement and Beautification Plan, dated August 12, 1999 as required by the Department of Environment;

That the applicant shall comply with all the standard and special conditions contained in the Department of Environment operating permit;

That the applicant shall comply with all applicable Illinois Department of Environment rules and regulations pertaining to the operation of waste transfer stations.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Alan Sewell **CAL. NO.** 317-99-A
APPEARANCES FOR: Alan Sewell **MAP NO.** 24-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 1036 W. 98th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR AFFIRMED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Alan Sewell, owner, on August 15, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 5 dwelling units in a 2-story brick building, in an R2 Single-Family Residence District, on premises at 1036 W. 98th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 26, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in an R2 Single-Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 2-story with high basement brick building containing 3 dwelling units in the front portion of the building and 2 dwelling units in the rear portion of the building; that the appellant seeks to appeal the decision of the Office of the Zoning Administrator in his refusal to issue zoning compliance for five dwelling units at the subject site; that no evidence was presented to indicate that 5 dwelling units have been legally established by permit at the subject site since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is sustained; and be it further

RESOLVED, that the appellant has a right to 3 dwelling units at the subject site as certified by the Office of the Zoning Administrator.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Herbert Slezak **CAL. NO.** 318-99-A

APPEARANCES FOR: Morris D. Minuskin, Herbert Slezak **MAP NO.** 9-O

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999

PREMISES AFFECTED- 7609 W. Irving Park Road

SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE
DECISION OF THE OFFICE
OF THE ZONING ADMINISTRATOR
AFFIRMED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Herbert Slezak, for Herbert Slezak, Estate of John Slezak, Estate of Albert Slezak, owner, on July 29, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 2 dwelling units in an existing 2-story brick building, in a C1-1 Restricted Commercial District, on premises at 7609 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 14, 1999, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-1 Restricted Commercial District; that the subject site is improved with a 2-story brick store building with a non-conforming apartment on the 2nd floor; that the evidence presented was insufficient to prove that two dwelling units have been legally established by permit at the subject site prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Genevieve N. Data & Andrew Holicz **CAL. NO.** 319-99-Z
APPEARANCES FOR: Genevieve N. Data **MAP NO.** 3-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 2446 W. Cortez Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Genevieve N. Data and Andrew Holicz, owner, on August 5, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 4 dwelling units on a lot with 3 units in front building and 1 unit in the rear building, in an R4 General Residence District, on premises at 2446 W. Cortez Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 2, 1999, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 7.5-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in an R4 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the said use is located in an R4 General Residence District; that the subject site is improved with a 2 ½ story brick building on the front of the lot and a 1 story brick and frame building on the rear of the lot; that records of the City of Chicago indicates that 4 dwelling units have existed at the subject site since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to 4 dwelling units at the subject site provided the buildings are brought into compliance with applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a total of 4 dwelling units with 3 units in a front building and 1 unit in a rear building, on premises at 2446 W. Cortez Street, upon condition that the buildings are brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Keith Middleditch **CAL. NO.** 320-99-A
APPEARANCES FOR: Keith Middleditch **MAP NO.** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 470 N. Ogden Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Keith Middleditch, for Grace Stramaglio, owner, on August 15, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor on the 1st floor of an existing 4-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 470 N. Ogden Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 9, 1999, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a B2-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a 4 story brick store and apartment building; that the appellant proposes to establish a beauty parlor in the store on the 1st floor of the subject building; that the subject store premises has been previously occupied by business uses, the last use having been a restaurant, which recently ceased operation; that licensing has caused the case to be filed; that the change of use from a restaurant to a beauty parlor is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor on the 1st floor or an existing 4 story brick store and apartment building, on premises at 470 N. Ogden Avenue, upon condition that the hours of operation shall bel limited to the hours between 9 A.M. and 6 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Lavonia Hamlin **CAL. NO.** 321-99-A
APPEARANCES FOR: Lavonia Hamlin **MAP NO.** 18-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 1850 W. 79th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Lavonia Hamlin, for Davis Apartments, owner, on July 29, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a barber shop on the 1st floor of a 3-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 1850 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 17, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 3-story brick store and apartment building; that the appellant seeks to establish a barber shop at the subject site; that the subject store premises has been previously occupied by a tax and insurance office which use recently ceased operation; that the change of use to a barber shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a barber shop on the 1st floor of a 3-story brick store and apartment building, on premises at 1850 W. 79th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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APPLICANT: Zorina Miller **CAL. NO.** 322-99-A
APPEARANCES FOR: Cynthia Walker **MAP NO.** 16-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 2557 W. 63rd Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Zorina Miller, for Park Management, owner, on August 23, 1999, filed an appeal from the decision of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 3-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 2557 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 23, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building; that the appellant seeks to establish a beauty parlor in a store in the subject building; that the subject store premises was previously occupied by a clinic which use ceased operation in June of 1999; that licensing requirements have caused the case to be filed; that the change of use from a clinic to a beauty parlor is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 3-story brick store and apartment building, on premises at 2557 W. 63rd Street, upon condition that the hours of operation shall be limited to the hours between 9 A. M. and 7 P.M., Tuesday through Saturday; and that all other applicable ordinances of the City of Chicago shall be complied with before a license is issued.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Maggie Robertson
APPEARANCES FOR: Maggie Robertson
APPEARANCES AGAINST: None
PREMISES AFFECTED- 3135 W. 71st Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 323-99-A
MAP NO. 18-1
MINUTES OF MEETING:
 September 17, 1999

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

THE RESOLUTION:

WHEREAS, Maggie Robertson, for Guadalupe Barrera, owner, on August 10, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor on the 1st floor of a 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 3135 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 10, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store and apartment building that the appellant seeks to establish a beauty parlor in the store premises at the subject site; that the subject store premises was previously occupied by a hair braiding salon, which use recently ceased operation; that licensing requirements have caused the case to be filed; that the change of use from a hair braiding salon to a beauty parlor is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor on the 1st floor of a 2-story brick store and apartment building, on premises at 3135 W. 71st Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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APPLICANT: Mary Stevenson

CAL. NO. 324-99-A

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 17, 1999

PREMISES AFFECTED- 2448 W. 71st Street

SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 19, 1999.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Essie Carr **CAL. NO.** 325-99-A
APPEARANCES FOR: Essie Carr **MAP NO.** 26-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999
PREMISES AFFECTED- 11043 S. Ashland Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR AFFIRMED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Essie Carr, owner, on August 20, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of an attached garage to an existing 1-story building occupied by a tavern which is alleged to be an expansion of a non-conforming tavern, in an R3 General Residence District, on premises at 11043 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 6.4-2."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 1-story brick building occupied by an existing licensed non-conforming tavern and adjacent rear patron parking area; that the appellant seeks to build an attached 433.8 sq. ft. garage at the rear of the existing tavern building; that the subject site has been zoned for residential use since the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant testified that the proposed attached garage will be used for storage of supplies and a truck; that under Section 6.4-2 of the zoning ordinance, a non-conforming building or structure which is non-conforming as to bulk, or all or substantially all of which is designed or intended for a use not permitted in the district in which it is located shall not be added to or enlarged in any manner; that the Board finds that the proposed use is an expansion of an existing non-conforming tavern use and under Section 6.4-2 of the zoning ordinance has no authority to permit the use requested; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is denied.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Michelle Cahill **CAL. NO.** 326-99-A

APPEARANCES FOR: Michelle Cahill, Richard Stokes **MAP NO.** 28-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 17, 1999

PREMISES AFFECTED- 11571 S. Wentworth Avenue

SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE
DECISION OF THE OFFICE
OF THE ZONING ADMINISTRATOR
AFFIRMED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Michelle Cahill, for Richard and Evelyn Stokes, owner, on July 28, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a used furniture store on the 1st floor of an existing 3-story brick store and apartment building, in an R3 General Residence District, on premises on 11571 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 28, 1999, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 17, 1999; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site has been zoned residential since the inception of the first zoning ordinance in 1923; that the subject site is improved with a 3-story brick store and apartment building; that the store premises was previously occupied by an illegally established unlicensed grocery store from October, 1997 to July, 1999; that the appellant seeks to establish a used furniture store at the subject site, a use first permitted in a B4 Restricted Service District; that the Board finds that any business use of the subject premises since 1923 would have been a non-conforming use due to the property's residential zoning; that Section 6.4-8 of Article 6 of the zoning ordinance establishes an amortization schedule for the eventual elimination of non-conforming business uses in all Residence Districts; that said section provides, in part, that any building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business, Commercial or Manufacturing District, shall be removed or it shall be altered and converted to a building or structure designed for a use permitted in the district in which it is located within six months after the termination of the respective period of time in the schedule, in this case 60 years from the date of issuance of the building permit for the construction of

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either the whole structure or the initial building or the initial part thereof, *or* 40 years after the effective date of the comprehensive amendment of June 27, 1957, whichever last occurs; that as of June 27, 1999, the subject site building has been fully amortized; that the Board has no authority to permit a non-conforming business use in a building containing a non-conforming store premises that has reached its amortization termination date; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

MINUTES OF MEETING

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Member McCabe-Miele moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on Friday, October 15, 1999.

Marion Rest

Secretary